

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MORRIS HALEY,)
Petitioner,)
)
vs.) Civil Action No. 12-1708
)
SUPERINTENDENT COLEMAN, et al.,)
Respondents.)

ORDER

AND NOW, this 6th day of May, 2013, after the petitioner, Morris Haley, filed a petition for a writ of habeas corpus, and after the respondents filed a motion to dismiss and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner, and upon independent review of the petition, the motion and the record and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 11), which is adopted as the opinion of this Court,

IT IS ORDERED that the motion to dismiss filed by respondents (ECF No. 7) is granted and the petition for a writ of habeas corpus filed by petitioner (ECF No. 1) is dismissed and, because reasonable jurists could not conclude that a basis for appeal exists, a certificate of appealability is denied.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

Nora Barry Fischer
Nora Barry Fischer
United States District Judge

cc: Morris Haley
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